



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

STATE EMPLOYEES ASSOCIATION	:	
LOCAL 1984	:	
	:	CASE NO. S-0399
Petitioner	:	
	:	DECISION NO. 97-127
v.	:	
	:	
COOS COUNTY DEPARTMENT OF	:	
CORRECTIONS	:	
	:	
Respondent	:	

INTERIM ORDER

On November 5, 1997, SEA Local 1984 filed a petition to certify a bargaining unit of Coos County correctional employees. On November 18, 1997, Coos County answered the petition with objections. A hearing was convened on December 17, 1997, and recessed to a time uncertain. In the interim, by agreement, the parties requested that another question is to be answered by the hearings officer on its legal merits as discussed below.

On December 17, 1997, SEA Local 1984 filed unfair labor practice charges against Coos County regarding RSA 273-A:5 I (b) and (g) based on the following facts as stipulated by the parties: certain County employees are desired by SEA as witnesses to testify on Case No. S-0399, the certification of a bargaining unit of correctional employees; civil subpoenas were issued by SEA legal counsel; the County indicated that the witnesses could attend the hearing but informed them that they would be required to utilize personal leave time; the witnesses attended the hearing knowing that they will be required to charge the time to personal leave time.

The question to be answered by the hearings officer is whether these Coos County employees can be required to utilize personal leave time when they appear as witnesses under subpoena at an administrative hearing before the PELRB and whether the County has committed unfair labor practices by so requiring.

Briefs shall be filed by January 8, 1998. A decision shall be issued before the second hearing date. Also, it is intended that notice of the second hearing date shall be sent before the decision on the above question is issued. The above agreements on the method of resolution of the unfair labor practice charges, Case No. S-0399:1 is hereby adopted.

Signed this 23rd day of December, 1997.

A handwritten signature in cursive script, appearing to read "G. Morrison", written over a horizontal line.

GAIL C. MORRISON
Hearings Officer